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A Demanding Boss

Rodger D. Citron

Touro Law Center, rcitron@tourolaw.edu

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A DEMANDING BOSS

*Rodger D. Citron**

I wrote the tribute below to Judge Lazer in 2012, after I worked with him on the New York Pattern Jury Instructions (PJI) Committee. During the time that followed, we had a slightly different relationship at the law school: we were fellow members of the faculty and then, for several years, I was the academic dean during his last few years teaching. My admiration for Judge Lazer during this time grew. He was, as always, a dedicated and rigorous professor. His attendance at faculty meetings was appreciated. When he spoke, as in the E.F. Hutton television commercials from years ago, people listened. Even after Judge Lazer retired from teaching, he remained sharp and engaged. It always was a pleasure to talk with him about what was going on with the PJI Committee or get his views on the events of the day, from local politics to international developments in the Middle East. Indeed, what I marvel at, even today, is the extraordinary vigor with which Judge Lazer lived his life, right until the very end. At the funeral, his son David told us about some of the things that Judge Lazer did in the last year of his life, including going to a Mets spring training game in Florida and performing the wedding ceremony for David's son and daughter-in-law. I cannot say that I am surprised. It was my pleasure and privilege to work with Judge Lazer; it was Touro Law Center's good fortune to benefit from his decades of teaching at and service to the school.

I worked closely with Judge Lazer from 2007 through 2010, when I replaced Professor Eileen Kaufman as a reporter on the New York Pattern Jury Instructions Committee. The PJI Committee, as it is known, is responsible for publishing annually a two-volume treatise that provides model jury instructions for civil cases in New York and extensive commentary on the cases, statutes, and rules that comprise much of the State's civil law. The treatise is widely used by judges

*Rodger D. Citron is the Academic Dean and a Professor of Law at Touro Law Center.

and practicing attorneys in New York and is held in high regard – in large part because of the efforts of Judge Lazer, who has been the chair of the PJI committee for more than 30 years. When Professor Kaufman first suggested that I apply for the job, she assured me that Judge Lazer was wonderful.

I cannot say that I always had a wonderful time while working with Judge Lazer. He was critical of my early work and fully expressed his frustration with my occasional failure to communicate with him more. (My twin daughters had been born in 2006, and I struggled to keep my head above water at work as well as at home during the early years of their lives.) Before becoming a law professor, I had completed successful stints as a law clerk to a United States District Court judge, a trial attorney at the Department of Justice, and an associate at large law firm in Philadelphia. I was surprised by the extent to which Judge Lazer criticized my work as a reporter. Nevertheless, I quickly learned that he worked harder than any other judge on the committee and came to realize that his criticisms were motivated by the best intentions.

As to his diligence, I still recall vividly a meeting we had after my first meeting with the committee in early 2007. Judge Lazer had me reserve a conference room and told me to bring a half-dozen or so volumes of the paperback N.Y.Supp.2d volumes that I scoured to find new cases to cite and, where appropriate, summarize for inclusion in the treatise. The judge wanted to show me how I should decide which cases should be presented to the Committee for its consideration. We worked for more than an hour and made steady progress. I had scheduled a meeting with a student, however, and became concerned that I would be late for that appointment.

“Judge,” I ventured. “How long do you think we’ll work? I can continue, it’s just that I have a meeting with a student soon. I can cancel –”

“Cancel,” Judge Lazer replied, decisively. “We need to keep going here.”

I raced up to my office and left an apologetic note for the student, promising to reschedule. I returned to the conference room, where Judge Lazer and I kept working. About a half hour later I interrupted our work again with another question.

“Judge, can we take a quick break? I have to go to the bathroom.” I stopped there, not wanting to elaborate, and waited for his ruling.

“Sure, go ahead,” he said. “I’ll just keep going through the cases while you’re gone.” (Without disclosing any state secrets, I should note that I am younger than Judge Lazer.)

Our meeting that day lasted nearly three hours before it concluded. It left a lasting impression upon me that remained constant during my service on PJI: that Judge Lazer was attentive to every aspect of the work and that he expected no more of me than he demanded of himself. I saw this over and over during my four years as a reporter, whether it was when we worked together on the eighth, then the ninth, and if necessary even more drafts of jury charges that we presented to the Committee or at meetings when he updated the Committee on his conversations with the publisher on technological changes in how the treatise would be published.

My service on the PJI committee was enormously rewarding. It improved my writing, deepened my knowledge of substantive law, and allowed me to work with the best judges in the New York State Court judicial system, an extraordinary privilege for a law professor. But it gave me little time for other scholarly work, and ultimately, I decided to step down as a reporter. At my last meeting, Judge Lazer gave me a plaque from the Committee – it’s on display in my office – and graciously thanked me for my service. He complimented me on a number of strengths I had developed as a reporter, and I can honestly say that no compliment ever has meant more to me. Even now, I continue to remain grateful to Judge Lazer for the wonderful experience I had at PJI.